

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF NORTH CAROLINA  
STATESVILLE DIVISION**

**5:08cv6**

**PAMELA L. MILLER,**

**Plaintiff,**

**Vs.**

**WAL-MART,**

**Defendant.**

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**ORDER**

**THIS MATTER** is before the court on defendant's Motion to Compel Discovery Responses. In its motion and brief, defendant has shown that the *pro se* plaintiff has utterly failed and refused to fully participate in discovery, has refused to answer the majority of defendant's interrogatories and has failed to provide any responses or documents in response to the requests for production. Further, plaintiff has failed to respond to the Motion to Compel Discovery Responses.

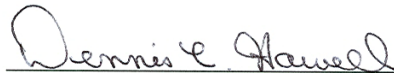
Plaintiff is advised that she is obligated to provide defendant with discovery. Where she fails to do so, defendant can move as it has done to compel her production of requested discovery materials. Plaintiff is advised that she has further failed to respond to the Motion to Compel and show any reason why she should be granted a protective order or other reason for excusing her from producing the requested materials. At this point, the court has no option other than to issue an Order

compelling the requested discovery. **Plaintiff is advised that failure to comply with this Order compelling discovery may, in the discretion of the district court, result in the issuance of sanctions under Rule 37(b)(2)(A), which include but are not limited to dismissal of this action, rendering a default, and treating any such failure as contempt of court.** Fed.R.Civ.P. 37(b)(2)(A). Having considered defendant's motion and reviewed the pleadings, the court enters the following Order.

### **ORDER**

**IT IS, THEREFORE, ORDERED** that defendant's Motion to Compel Discovery Responses (#23) is **GRANTED**, and plaintiff shall fully respond to defendant's pending interrogatories and requests for production of documents within 14 days of the filing of this Order.

Signed: February 7, 2009



Dennis L. Howell  
United States Magistrate Judge

